

Division VIII of Title 5 of the California Code of Regulations

Proposed Addition and Amendments to Title 5 of the California Code of Regulations Pertaining to Administrative Services Credentials

Final Statement of Reasons

Public Problem

There is no change to the public problem information since the original submission of the Initial Statement of Reasons.

Purpose of Proposed Action

There is no change from the original purpose of the proposed action in the Initial Statement of Reasons.

Documents Incorporated by Reference:

Pursuant to 1 CCR §20(c)(1), the Commission requests that the three program standards documents not be printed in the code. The program standards document includes 59 pages and publishing the incorporated document would be cumbersome, unduly expensive, and otherwise impractical. The program standards are available on the Commission's website as follows:

The *Administrative Services Credential Program Standards* (rev. 6/2014) document incorporated by reference in these proposed regulations is provided in the Initial Regulations posted on the Commission's website at <http://www.ctc.ca.gov/notices/rulemaking/2015-03-ASC/2015-03-ASC-ir.pdf> (beginning on page 11), showing all amendments made since the September 2011 version in underline and ~~strikethrough~~.

The programs standards document without underline and strikethrough is available on the Commission's website as follows:

Administrative Services Credential Program Standards (rev. 6/2014):

<http://www.ctc.ca.gov/educator-prep/standards/SVC-Admin-Handbook-2014.pdf>

Updated Tally of Responses

The Commission received the following written responses to the public announcement:

1. Mark Healy

Comments: I am writing to express my disagreement with the proposed Title 5 regulations pertaining to the Administrative Services Credential (ASC). Specifically, my concern is with requirement (a)(4) for candidates to obtain the ASC: *five years of successful, full-time teaching experience at a public school or private school of equivalent status located in California and/or another state*. As California is attracting new residents from all over the world, these new requirements should include a route for administrators who bring out-of-country teaching experience and preparation. My background illustrates why I am asking for this consideration.

Response: Subsection (a)(4) that includes "...located in California and/or another state" is part of 5 CCR section 80054 that details the requirements for California prepared administrators. Subsections (a)(4) and (b)(2) of the proposed 5 CCR section 80054.1 detail the teaching and/or services experience requirement for out-of-state prepared administrators.

I was prepared as a teacher in Canada and taught high school math in Canada for 6 years. I moved to Massachusetts in 2008 and became a public school district administrator in Cambridge Public Schools for 6 years. Massachusetts awarded me a teacher license, a curriculum director license, a principal license, and a superintendent license.

In July 2014, I moved to California and was denied the Administrative Services Credential, even though I have the equivalent credential in Massachusetts and my experience qualifies me for the Clear credential. After the CTC's review of my application packet, I was told, "teaching experience earned outside of the United States is not acceptable for credentialing purposes in California." Although the Commission accepted my 6 years of experience as a district-wide central office administrator as it was performed in the United States, the Commission did not accept my teaching experience as it was not performed in the United States.

These new requirements only clarify this language even further, meaning that I, and other administrators like me, need to return to the classroom to teach for 5 years in order to go back to being an administrator, a role in which I have already had for 6 years in another state.

In Dr. Darling-Hammond's "Report From The CTC Chair," dated January 31, 2013, she described the two priorities of the Commission's strategic plan, with the second being "a focus on performance, that can replace the tradition of piling up requirements that may be unrelated to whether people can actually do the job. The goal is to enable educators to do what is necessary to practice responsibly." Unfortunately, these proposed regulations do not live up to the spirit of her words. In fact, the requirements in this new proposal are now more in number than in the past.

My request is that the CTC use this opportunity to focus more on performance, than on requirements that do not indicate whether someone can actually do the job. I provided the CTC with exemplary performance evaluations of my teaching and administrative experience, but my application was denied because of requirements not related to my performance. I hope my situation creates an opportunity for you to further advance your strategic plan and make a thoughtful revision to these proposed regulations.

Response: The California Education Code does not authorize the Commission to accept teaching experience earned outside the United States for certification purposes. Specifically, EC section 44275.4 that details the minimum requirements for general and special education teaching credentials for individuals prepared outside the United States does not include an experience option. Revisions to the Education Code authorizing the Commission to accept experience (teaching and/or services) earned outside the United States will need

to be made through the legislative process before the Commission can propose regulations to that effect.

2. Delaina A. Martinez, Psy.D., Psy.M.

Comments: I work in California as a School Psychologist. I have a master's degree and a doctoral degree in school psychology, (Psy.D. and Psy.M.) I am also a Licensed Educational Psychologist, and have a PPS in School Psychology, as well as BICM certification. I would like to move into a leadership role in a district, but I am required to go back to school to get another PPS administrative credential. I have training in leadership, supervision, special education law, curriculum and ethics. I am most often supervised by a director who has a lesser degree because they have an administrative credential and I do not. At this time I am in limbo to move forward to getting that credential because of the sweeping changes. It seems as if going back for an administrative credential that requires a lower level of training, is somewhat redundant. Further, there is no clear path that defines exactly what classes are needed to move forward with the credential. When I call the CTC, I am told to check with the requirements from university programs. When I call the university, I am directed to contact the CTC for their requirements. My training and experience has been rigorous, and I feel akin to a physician going to school to get a credential to be a phlebotomist. I have to take a number of classes to do many of the tasks that I have already trained to do, and in many ways, already doing.

I would like to see a list of what training and classes are required to receive the administrative credential so that I can clearly see what I need to do. Not solely "complete an administrative credential program". Or can we have development of an alternative path, where I can demonstrate my abilities to the CTC.

Response: The Commission does not issue a "PPS administrative credential" and Commission-approved administrative services programs prepare individuals to perform administrative duties in California's public schools, regardless of the degree-level at which the preparation is provided.

The Commission develops the standards for educator preparation programs in California and entities interested in offering an approved program submit program proposals for review. Once approved by the Commission, the program sponsor determines which specific coursework must be completed. Although Commission staff can provide general information regarding the credential requirements, the Commission does not have a list of coursework that must be completed to earn a preliminary Administrative Services Credential because the coursework will vary from one program sponsor to the next. Individuals interested in completing an Administrative Services credential program through an approved college or university should contact the Credentials Office to discuss the specific requirements.

Individuals have the option of passing the California Preliminary Administrative Credential Examination (CPACE) in lieu of completing a Commission-approved preliminary Administrative Services program [reference 5 CCR section 80054(a)(2)(C)].

3. Allison Klein, Credential Analyst, Human Resources

Comments: I hereby submit my written comment regarding the proposed amendments to Title 5 of the CCR pertaining to the California Admin Services Credential, as follows:

1. I support the proposed change to allow out of state teaching experience to satisfy the teaching experience requirement for California Admin Services credentialing programs. This would allow those former teachers, such as myself, who have relocated to the state of California due to military relocations, to pursue Admin Services credentials via a CTC approved Admin Services Credentialing program. Currently, as a military transplant and former OOS teacher, I am hindered from furthering my career in education in the state of California due to the non-acceptance of my 6 years of OOS teaching experience, through no fault of my own. Furthermore, if I wish to pursue an Admin Services credential, I must attend a non-CTC approved program out of state or online, and obtain said credential via that route, and then transfer the credential to CA after the fact. I would feel more adequately prepared as a CA Administrator if I could be afforded the opportunity to enter and complete a CTC approved CA Admin Services credentialing program, by applying my 5+ years of OOS teaching experience to the requirement for the in-state prepared route. There is currently no pathway leading to a CA ASC for those who are neither fully OOS prepared Admins, or fully in-state prepared Admins--those in the grey area in between are hindered.

By enacting this proposed amendment, the state of California will benefit from a myriad of potential educators who hail from other states, as military veterans or spouses subject to military relocations. Currently, the state of California unintentionally repels some of these highly qualified candidates at a time of high need for educators. Additionally, it appears to be a liability for CTC to hinder military affiliated educators from pursuing specific career opportunities due to the unintentional oversight in the two paths for ASC attainment; requiring 5 years' in-state teaching of a veteran OOS teacher (thus lengthening the time in the classroom unnecessarily), wanting to pursue an ASC program, can easily be construed as a discriminatory penalty against that military member or dependent.

No Response.

2. In addition to supporting the aforementioned change, I propose the following:
 - a) That CA prepared administrators who are utilizing OOS teaching experience towards their certificated teaching requirement need NOT obtain a Clear CA Teaching credential unnecessarily, or at all. If an OOS teacher relocates to the state of CA, where he/she does not plan to teach but *does* plan to pursue an Admin Services Credentialing program, it would be a waste of time, money, and resources for both the state and the candidates to obtain a Clear CA Teaching credential, particularly in the midst of the educator shortage. This would decrease the CTC's caseload since it would not be burdened with evaluating and issuing of teaching credentials for those Administrator candidates who have no intentions of teaching in the state of CA.

Response: EC section 44270 details the minimum requirements for individuals who complete Administrative Services programs in California and possession of a prerequisite teaching or services credential is one of the listed requirements.

3. Lastly, I propose that teachers/former teachers who relocate to the state of CA with the intent to pursue a CA Admin Services credential through a CA Admin Services credentialing program, be authorized a waiver in the meantime to allow immediate access and acceptance into CTC approved credentialing programs utilizing the referenced OOS teaching experience towards the requirement for the Admin Services credential through an in-state program. This would be an immediate fix until amendments are finalized.

Response: The comment requesting a temporary waiver of the experience requirement during the regulatory process are dismissed pursuant to Government Code section 11346.9(a)(3) as they are not specifically directed at the proposed regulations or the procedures followed by the Commission in proposing the regulations.

Oral Comments Received During the Public Hearing:

1. Janet Davis, California Federation of Teachers

Comments: I just whispered to David, I said, "They don't have to have a CLAD" and so I said, "Couldn't we make them have a CLAD?" And he said, "No, because they're not all teachers and you can only add a CLAD to a teaching credential." However, I think we should address the fact that we have people who do not have that preparation and they're coming into our schools to be administrators. We put it into the administrative requirements we have in California and I think it's really important that anybody who comes in here be prepared. Thanks.

Response: Out-of-state prepared administrators who have the required years of out-of-state teaching experience are not required to hold a prerequisite teaching credential in California. All other out-of-state prepared administrators who qualify on the basis of a prerequisite teaching (not services) credential, must hold a clear teaching credential. Out-of-state prepared teachers are required to hold a California English learner credential to qualify for a clear teaching credential and the English learner authorization is embedded in all California teacher preparation programs. Services credentials are not a valid prerequisite for issuance of an English learner authorization.

Grand Total of Responses: 4

Consideration of Alternatives

The Commission has determined that no reasonable alternative considered by the agency or that has otherwise been identified and brought to the attention of the agency would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provision of law.

Mandated Costs

These proposed regulations will not impose a mandate on local agencies or school districts that must be reimbursed in accordance with Part 7 (commencing with section 17500) of the Government Code.

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Addendum to the Final Statement of Reasons

Public Problem

There is no change to the public problem information since the original submission of the Initial Statement of Reasons.

Purpose of Proposed Action

There is no change from the original purpose of the proposed action in the Initial Statement of Reasons.

Non-Substantive Modifications to the Proposed Regulation Text and Incorporated Document

The following non-substantive errors were noticed in the proposed text and the incorporated document by the Office of Administrative Law. The changes below were all typographical errors or non-substantive changes that do not alter the final proposed language or incorporated document in any way.

Regulation Text

§80054(a)(2)(B) – The “s” at the end of “Standards” was struck through in error and has been removed in the final text.

§80054.1(d)(6) – Education Code section 44270.4(f) provides an alternative to three years of administrative experience for out-of-state administrators to earn the clear credential. This alternative was left out of the proposed regulations in error and has been added to the final text under the provisions of 1 California Code of Regulations (CCR) section 100 for consistency with California statute.

Administrative Services Credential Program Standards Incorporated Document

Page 25 – The word “or” was used between “(a)” and “(b)” in Precondition 3(c). This was a typographical error, as the language pertains to combining two different types of experience and the word in the previously approved 5 CCR section 80054(a)(4)(C) is “and.” The word “or” has been changed to “and” in the incorporated document to correct the typographical error and for consistency with the existing Title 5 language.

Pages 42 through 55 – A formatting error in the footer of these pages pushed the page numbers to the far right side, out of the print range. The formatting error has been corrected in the incorporated document.

Page 42 – The “c” at the beginning of the word “Communication” in the title for Program Standard 2 was not capitalized. The lower-case “c” has been changed to an upper-case “C” for consistency with the titles of the other program standards.

The word “the” was struck through in the last complete sentence in the paragraph at the bottom of this page before the struck through word “design.” The strike through has been removed from the word “the” in the incorporated document for grammatical purposes.

Page 44 – An extra “the” word was included in the first paragraph of this page on either side of the word “both.” The first “the” before the word “both” has been removed in the incorporated document for grammatical purposes.

Page 45 – The word “to” was left out of the third sentence at the bottom of this page between the words “students” and “actively.” The word “to” has been added to the incorporated document for grammatical purposes.

Page 58 – A formatting error deleted the footer from this page. The footer information has been added to the incorporated document.

Page 82 – The last paragraph on this page included a reference to a Program Sponsor Alert (PSA) related to 5 CCR sections 80691 and 80692 regarding cost recovery fees. As the two regulation sections became effective on April 21, 2014, the language referencing the PSA has been replaced with language referencing the Title 5 regulations for clarity purposes.

Page 91 – The second sentence in CAPE 1 on this page includes the term “based in data” that should read “based on data.” The word “in” has been changed to “on” in the incorporated document to correct this typographical error.